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MEMO ENDORSED

December 17, 2024

The Honorable Judge Edgardo Ramos
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Plaintiff's request for an extension of time to effectuate service, until April 25, 2025, is granted.

SO ORDERED.



Edgardo Ramos, U.S.D.J.

Dated: December 18, 2024

New York, New York

Re: 1:24-cv-07277-ER; Plaintiff's Request for an Extension of Time Within Which to Effectuate Service on Defendant

Dear Judge Ramos,

The James Law Firm, PLLC represents Plaintiff in the above captioned matter. This matter has been filed as a John Doe against the internet subscriber assigned the referenced IP address. Plaintiff respectfully requests an extension of the time within which to effectuate service on John Doe.

On September 26, 2024, Plaintiff filed the instant case against John Doe subscriber assigned IP address 74.101.157.156 claiming Defendant's direct infringement of Plaintiff's works through BitTorrent protocol.

On October 21, 2024, Plaintiff filed a Motion for Leave to Serve a Third-Party Subpoena Prior to a Rule 26(f) Conference ("Motion for Leave") in order to serve a third party subpoena on Defendant's ISP.

On October 22, 2024, the Court granted Plaintiff leave to serve a third-party subpoena. Plaintiff served Defendant's ISP with a third-party subpoena on or about October 25, 2024, and in accordance with the time allowances provided to both the ISP and Defendant, expects to receive the ISP response on or about February 24, 2025.

Pursuant to Fed. R. Civ. P. Rule 4(m), Plaintiff is required to effectuate service on the Defendant no later than December 25, 2024.

Because Plaintiff does not expect to receive the ISP response until February 24, 2025, and Defendant's identity is unknown to Plaintiff at this time, Plaintiff is unable to comply with the current deadline to effect service of process.

Plaintiff respectfully requests that the deadline to effect service be extended for sixty (60) days from February 24, 2025 (the date Plaintiff expects to receive the ISP response), and thus the deadline to effect service be extended to April 25, 2025. This extension should allow Plaintiff time to receive the ISP response, to conduct a further investigation to assist in determining whether the individual identified by the ISP is the appropriate defendant for this action, and, if a good faith basis continues to exist, to proceed against that individual (or someone else), amend the Complaint to name the Defendant and attempt to effect service of process on that individual.

For the foregoing reasons, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Amended Complaint on Defendant be extended to April 25, 2025.

Respectfully Submitted,

By: /s/Jacqueline M. James
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